

REDMOND PLANNING COMMISSION MINUTES

November 9, 2005

COMMISSIONERS PRESENT: Chairperson Snodgrass, Commissioners Allen, Hinman, McCarthy, Parnell, Petitpas, Querry

STAFF PRESENT: Lori Peckol, Cathy Beam, Gary Lee, Sarah Stiteler and Kim Dietz, Redmond Planning Department; Joel Pfundt, Redmond Public Works Department

RECORDING SECRETARY: Karen Nolz

CALL TO ORDER

The meeting was called to order at 7:00 p.m. by Chair Snodgrass in the Public Safety Building Council Chambers. The Chair recused himself from deliberations on North Redmond since he owns property there. This is not legally required, but staff and he felt it appropriate. Vice Chair Allen presided, and began the meeting with a brief summary of the status of the revised North Redmond Neighborhood Plan.

APPROVAL OF AGENDA

The agenda was approved by acclamation.

ITEMS FROM THE AUDIENCE - North Redmond Speakers

Jeanette Backlund, 15719 NE 117 Street, Redmond, spoke in favor of the City not limiting Washington Cathedral's future development, especially when rows and rows of homes are being built all around town. She considers Washington Cathedral a great neighbor, and thought the community center would be beneficial to the neighborhood.

Serena Glover, 13630 160th Avenue NE, Redmond, spoke in opposition to the rezoning of Theno's Corner. She claimed that many of her neighbors are opposed to this, requesting that everyone present who was opposed to stand up in support of her statement. The reasons for opposition are:

- No new circumstances support the changes from the existing R-1 zoning. The Growth Management Act requires the need for buffers and transitional zoning on properties in the Urban Growth Area. The City has originally and appropriately recognized this property as not suitable for urban development, and is justified in maintaining the R-1 zoning.
- No need for retail development. She listed the nearby retail developments.
- A number of environmental considerations, such as wetlands, noise and air pollution to the adjacent land uses.

Marsha Martin, 15730 NE 134th Street, Redmond, spoke in opposition to the proposed rezoning of Theno's Corner. She cited Land Use Policies FW-10, LU-20, LU-22, which intend to preserve land north and east of the city, and LU-38 and LU-40, which are commercial policies the rezoning would violate. The Citizens Advisory Committee has acknowledged that this would cater mostly to citizens outside the city. Neighborhood Commercial (NC-2) is to be limited to two acres, and this parcel is five acres. She requested that the existing Comprehensive Plan zoning be retained.

Rob Sunderman, 16429 NE 135th Street, Redmond, spoke in opposition to the proposed Theno's Corner development based on traffic issues. Based on City of Redmond traffic study information, the intersection at NE 124th/SR202 is Service Level E, the NE 116th/SR 202 intersection is Service Level D, and the NE 109th/SR 202 intersection is at Service Level F, the lowest rating possible. He contended that the completion of the church's added development with an estimated 1,600 car trips per day added to those intersections would result in all the intersections being at a Service Level F. The new trips resulting from this proposed commercial development on top of the church's trips would result in a worse situation—*gridlock*. Neither the City of Redmond nor King County has any adopted plans to improve these roads. This makes no sense.

Chris Thomas, 13543 160th Avenue NE, Redmond, owner of Sammamish Valley Cycle, a small business owner in Downtown Redmond, commented that she and her husband have been so pleased with the way the downtown core of Redmond has been developed, especially the City's great investment in bike lanes and transportation improvements. She said she would hate to see what has happened in other small towns where businesses have developed at the edge to the detriment of the downtown core. She commented that Redmond/Woodinville Road a great access to the downtown core. She suggested adding more bike lanes and sidewalks to NE 116th Street. She added that she does see an upside to adding more retail on that corner—If the downtown core survives and competes with that retail, downtown retail might be more successful than the outside retail. However, she hopes the City will retain the current zoning.

Larry Martin, 15730 NE 134th Street, Redmond, spoke against the proposed change to the Comprehensive Plan designation and zoning to Theno's Corner. He commented that land use planning is a great process to help cities make wise and long-term decisions among competing land uses. Land use plans are to provide predictability and stability. When changing a land use plan, important questions should be asked: Has something changed that justifies and requires a change in the plan? Is there a need for a change of zoning to provide something the public is missing? Is the proposed change compatible with the characteristics of surrounding land uses? What long-term effects would the proposed change likely have? Would they be desirable? Retail begets more retail. This truism has played out time and again. If a retail center is permitted on one corner of a busy intersection, why not on the others? Allowing a 70,000 square foot shopping center, along with offices and multifamily residences as proposed right at the edge of the Urban Growth Boundary, adjacent to farm land and rural open space areas, would encourage movement of the Urban Growth Boundary line northward, intruding into the Sammamish Valley. It would encourage erosion of the current buffer between the Redmond and Woodinville. These are not desirable effects. They are inconsistent with Redmond and King County land use policies. They would run counter to the strong policies and mandatory provisions of the Growth Management Act, which require preservation of natural resource lands.

Bruce Blake, 23909 Paradise Lake Road, Woodinville, spoke on behalf of Washington Cathedral, saying that Washington Cathedral has been working with the Citizens Advisory Committee for a number of months on the Washington Cathedral property that is being considered for rezoning. He assured everyone that Washington Cathedral fully intends to work with the community to develop a proper development on Theno's Corner. Washington Cathedral staff members share the same concerns, but are confident that solutions will be developed through the permitting process. Washington Cathedral staff is aware of the traffic and storm water concerns, as well as the need for mitigation. Washington Cathedral is interested in developing a community that interfaces with the farm land and bicycle trails across the valley, and is an asset to the community, with the primary goal of providing a gateway to the community. He encouraged questions from the Planning Commission at any time during the process.

Troy Howe, 10836 NE 108th Street, Kirkland, the architect for the church's campus plan and also a member of the church's building committee, explained that the design of the project took into consideration the history of this site, the sense of place, and the unique nature of the site. As he looked at the history of this

site, he realized that Theno's Dairy had been there for 44 years, and actually provides an interesting historic landmark and an opportunity for an agricultural development for that agricultural valley.

Sterling Leibenguth, 11406 167th Place NE, Redmond, who lives on an equestrian tract, commented that he recently received a map through an email that showed a line coming through his neighborhood that, as explained by Kim Dietz, a GIS planner for the City of Redmond, represents a possible area where a road might go from the entrance on 116th from North Star to 166th, connecting it up toward St. Mark's. He has previously been involved in planning with the City of Redmond, and knows that lines can represent different things: to the planner it is a dream; to the City it is later an opportunity, and eventually a mandate. He does not like the line on that map coming through the equestrian tracts to provide a way to get through from 116th to 166th. He requested that the line specify that a road would be considered in that location only if there is a redevelopment of that neighborhood, and not an opportunity to have a road go through the equestrian tracts that are currently there. He noted that there is also a path that goes through there, parallel to the pipeline trail, affecting three of the neighbors' tracts. This path would be redundant, being about 100 feet from the pipeline trail.

Tria Fortune, 11314 167th Place NE, Redmond, owner of one of the tracts showing the line, commented that she is not happy about the line. They would not want a street running through their large lot. She requested clarification of this at the public hearing.

Gary Harris, 17012 NE 139th Street, Redmond, spoke against the Theno's proposal, calling this an ill-conceived plan. That morning he left his house at 7:30 a.m., went to the corner at 172nd, and could not turn west for the bumper-to-bumper traffic all the way down the hill. This traffic is present every weekday between 7-8 a.m. To have a retail development at the bottom of the hill might sound good, but in the long run people would probably only visit these businesses once, because they would not be able to get back on 124th to leave.

STUDY SESSION

Reconsideration of Motion concerning Stream Classification Map Update and Identification of Riparian Habitats of Local Importance

Chair Snodgrass presided over this study session.

It was moved by Commissioner Query and seconded by Commissioner Allen to amend the Commission's motion to recommend the Stream Classification Map Update, to reintroduce the paragraph concerning Riparian Habitats of Local Importance and to retain the word "Native" preceding fish.

Commissioners' Comments:

Commissioner Query spoke in favor of the requested amendment to the motion by saying that when this was discussed by the Planning Commission a few weeks ago, not considered was the value to the City of formally recognizing certain streams with an emotional connection for the community and the neighborhood, and also having a historic value. No additional burdens are being requested or integrated. This is ceremonial, adds no administrative overhead, takes away no private property rights, and shows to Redmond citizens and citizens outside our community the value Redmond places on certain priority riparian habitats within our city boundaries.

Commissioner McCarthy spoke against the requested amendment, saying that while not opposed to the concept of keeping Redmond green and continuing the work to make sure Redmond remains an enjoyable and attractive place to live, he has problems with the creation of ordinances or laws that do nothing. To him, this is a law that does nothing. As he understands it, a Riparian Habitat of Local Importance can be considered a subset of Habitats of Local Importance, which are already covered. This would be trying to

redesign something that is ceremonial to become something even more ceremonial. While that is a nice thing for the City to recognize, he does not think the City's regulations are a good place to recognize it. In the Planning Commission's previous deliberations, the Commissioners considered a number of elements related to the regulations. This would be opening the door to more unintended consequences of good intentions. As commented by a citizen earlier in this meeting, things have a way of going from dreams through a process to mandates regardless of the original intent. The opportunity that he saw here for the misinterpretation of understanding and the intent of this Commission by forming a definition for Riparian Habitats of Local Importance and including it in regulations is the threat that down the road someone is going to take a look at this regulation and say that it does not do enough. But this is not supposed to guide the regulations on development. That is what the Critical Areas Ordinance does. Last week there was testimony that when Cathy Beam gets down there and is looking at a Class 2 stream, she will keep in mind that it is a Riparian Habitat of Local Importance, and be a little more careful on her measurements and on her buffer averaging. He did not see any reason to cloud the issue any further with the introduction of a regulation that does not do anything except maybe open the door for misunderstanding and unintended consequences of good intentions.

Commissioner Query responded that she thought Commissioner McCarthy made an interesting point, and she did not want to diminish that point, but to think that the City is going to focus in on this paragraph over the next couple of years, and look for ways to turn it into stricter guidelines and laws around these particular streams seemed highly unlikely to her.

Commissioner Parnell wanted to express how conflicted he is with this. He said that he feared that by introducing ceremonial language they would be diminishing the weight of the non-ceremonial language that is currently in the regulations. He would hope that the people who buy property in Redmond that abuts Class 2 or 3 streams would be the type of people who would be great stewards of that. While he is optimistic about that, the reality is that most people purchase land with the intention of getting the most value out of it. But there are also people who purchase homes for the aesthetic qualities, such as the sound of running water, and are willing to live with smaller and slower increases to their property values. He explained that he would continue to vote as he has because he would prefer that the Planning Commission continue clarifying and strengthening regulations that already exist rather than watering them down with ceremonial language.

Ms. Beam clarified for Commissioner Allen that Class 2 and 3 streams would be treated the same from a scientific perspective.

Mr. MacDonald clarified that the availability of funding for stream enhancements depends on the stream condition and needs.

Commissioner McCarthy added that he would like to make sure that the body of regulations they generate means something, and carries the weight of enforcing or doing something.

Chair Snodgrass commented that the biggest complaint is that people do not know what they can do on their property until they apply for Site Plan Entitlement.

The motion for the amendment failed (3-4), with Commissioners Parnell, Petitpas, McCarthy, and Snodgrass voting against the motion, so the previously recommended motion goes forward to City Council.

PUBLIC HEARING

2005 Downtown Development Guide Amendment

Gary Lee, Senior Planner, presented the staff report.

Public Comment:

Michael Nelson, 16908 NE 79th Street, Redmond, introduced himself, distributed a letter with his comments, briefed described the nature of his concerns, and noted that Mr. Halinen would review the comments in detail.

David Halinen, 2115 N 30th Street, Suite 203, Tacoma, WA 98403, attorney for land use and real estate matters, representing Mr. Nelson, said that he helped Mr. Nelson write his letter with five exhibits attached, and gave the following descriptions:

- Exhibit 3: Pointed out the subject property of concern located in Redmond Center, Lot 6, with a slight continuation to the east.
- Exhibit 4: Shows entire property. The special footnote relating to the Redmond Center Downtown Permitted Land Use Chart.
- Page 4 of the letter in the middle of the page is an indented replica of the footnote with both the double underlined text change that they would like to see and the remaining underlined staff-proposed changes that are in the current draft of the regulatory amendments before the Planning Commission. The proposed changes include:
 - Allow single-story retail in areas affected by the footnote without having the question about something already being there.
 - Include some King County Assessor's parcel numbers.
 - Apply the same basic policy for single-story buildings as the Trestle District.
 - Add verbiage that would allow the Nelson's to have the flexibility of having the parking on the street side of the building or on the side of the building.
- Requirement of Public Access: The Shoreline Regulations require certain public access to the river. This proposal seems to require everyone in the District access to the river. At a future point, the applicant might be interested in a river connection, but at this point a mandate is going too far. They urged that requirement be removed from the proposal and the City live with the access requirements already provided by a public access easement on another property to the north of this property.

The Burlington Northern Santa Fe right-of-way abuts the south edge of the Nelson properties. Because the trestle zone is much higher, the improvements are much higher than the abutting property. It does not make physical sense to apply these in this case, and they requested an exception.

Nelson responded 15 to 20 feet to Commissioner McCarthy's question of how high a building would have to be to look out to or across that right-of-way.

Commissioner Parnell questioned if Mr. Nelson was looking for flexibility that would allow park-facing or trail-facing retail. Nelson responded that the way the regulation is written it would require them to orient entrances toward the park. They do not plan to put a blank wall facing the park, and they do not want to have to orient an entrance to the river when it is designed to allow for vehicular and pedestrian access from the shopping center.

On another issue, Mr. Halinen representing Bella Bottega Partners, read a letter regarding two issues:

- He requested that outdated language be removed from the footnote on page 1.
- The applicant supported staff's proposed language allowing five-story residential, and would appreciate the Planning Commission sending this forward to City Council.

Scott Evans, 1457 130th Avenue NE, spoke in regard to the TDR program established in Redmond. He presently owns some TDRs where they have voluntarily created the certificates instead of developing the property to have it go into an open space for Redmond. Owners who have these certificates do not have a market to sell them. He was able to sell 20 of his 81 TDRs in 2002, but none since. There have been a

total of 368 TDR certificates given in the City since the program inception around 1998. Microsoft has been the biggest user—335 of them, so there were 33 used by every other person looking to use TDRs. In June 2005, there were five TDRs sold. There are 301 left in the market to be purchased. He owns 61, and General America Corporate owns 108, but the City does not know if they are useable. Microsoft has 60 left. The City has created a wonderful program and a wonderful web page, but has not followed up. Instead of eliminating the TDR program to get more development where the City wants development, the City should try expanding the TDR program by expanding the places where TDRs could be used, by giving more density so that there is an advantage to having a TDR, and by organizing the program so that owners could find buyers, and buyers could know better who has TDRs. He thought more people might be willing to give up some development property if they knew there was a market for it.

Commissioner McCarthy inquired if the City approached him with the 20 TDRs he sold. Mr. Evans responded that the developer approached him in connection with the hotel in Redmond Town Center. He also explained that he has called the City three times to see if anybody would be interested in his other TDRs, but there were no takers. Nothing has provided an incentive for these to be bought. To Commissioner Petitpas' question regarding for what the TDRs were issued, Mr. Evans replied they were for residential area on Willows Road. He chose to do the TDR Program as a mutual benefit for the City and him, but this has not worked out well for him. He described the property as a 10-acre property on the hillside above Willows Road behind Data I/O. The property has emergency access, but not primary access. A road to extend NE 100th Street was planned at one time, but that was not done.

Gary Lee distributed a couple of emails: one email concerned the proposal to add advanced technologies uses to the uses chart. The other was regarding TDRs, and echoed Mr. Evans statement.

The Chair closed the public hearing, noting that there would be several study sessions on this topic.

Mr. Lee passed out some information on the Shoreline Regulations recently adopted but not approved by the State. He noted that portions of the proposed Downtown regulations may be redundant according to these regulations, so the City may not have to adopt any of these regulations because they are already in there. He also passed out a colored map showing the parcels to which Mr. Nelson referred.

BREAK

STUDY SESSION

Education Hill Neighborhood Plan Update

Commissioner Petitpas presided over this study session.

Sarah Stiteler, Senior Planner, introduced attending members of the Education Hill Citizens Advisory Committee (CAC), including the Chair and Vice Chair. She gave a brief presentation about the process the CAC has been involved in over the past year. She announced that on Saturday, December 3 from 10 a.m. to noon at Horace Mann Elementary an open house would be held to gather ideas and concerns from the neighbors. The CAC will return to the Planning Commission after the New Year with the final draft of the neighborhood plan for review.

The Education Hill CAC Chair and Vice Chair gave a presentation on some of the plan recommendations, which included keeping as many parks as possible and considering the Puget Pipeline Trail area for other recreational uses, supporting the Transportation Master Plan concept of multimodal corridors, providing choices and affordability in housing, maintaining the single-family character of the neighborhood but encouraging alternative forms of housing, such as cottages and duplexes, adding pedestrian-oriented amenities, gateways and gathering places, and encouraging green or low-impact development. Traffic

signals are supported for the intersection of 104th/166th. There are no plans for neighborhood commercial, except for possibly a coffee stand at Redmond Pool.

STUDY SESSION

North Redmond Neighborhood Plan Update & Washington Cathedral Request for Change of Land Use Designation, Zoning

Chair Snodgrass recused himself, and Vice Chair Allen excused herself. Commissioner Petitpas presided over this study session.

Kim Dietz, Senior Planner, presented the staff report. She distributed packets that summarized changes to the proposed plan and regulations between the time the Planning Commission first received the draft and the present, a list of priority projects together with a future considerations list, a proposed discussion issues matrix, and policies and regulations maps and public comment. She confirmed that the line through the equestrian tracts would become a street only if the tracts were redeveloped. Ms. Dietz further explained that line is not designated to be a street but a connection, so it could be a pedestrian and bike path or a street for cars. The line does not represent the exact alignment, and is only a marker, recognizing the start and end. If that proposed line were not there, the neighborhood would not be able to decide later that they would like a trail or street there.

Joel Pfundt, Principal Planner, gave a presentation on the status of the Transportation Master Plan (TMP) and how it relates to the North Redmond Neighborhood. He circulated two handouts—his presentation and an update of one controversial issue, the 172nd extension. He also showed the North Redmond vicinity map. He reported that Transportation staff expects to be back before the Planning Commission in six months to discuss a new concurrency system. The CAC recommendation still includes the future extension of the multimodal corridor along 172nd, and that is inconsistent with the TMP. Having a future road or trail through the equestrian tracts added to the TMP would be done through an amendment type process. He explained that the new concurrency plan would affect how the City invests its scarce transportation dollars.

Commissioner Petitpas suggested adding connectivity as a new discussion issue.

Ms. Dietz gave an overview of the Washington Cathedral request, which consists of two components—the south ten acres and the north five acres. The south ten acres has an application for a Conditional Use Permit on file now, and is not part of the proposed Neighborhood Plan. This project has not yet gone to the Hearing Examiner. The north five acres is currently zoned R-1, and there is a request for land use zoning change to NC-2. The CAC has supported the project to the extent of adding to the proposed Neighborhood Plan the consideration of additional services to meet daily and weekly convenience and shopping needs in the North Redmond Neighborhood. The North Redmond CAC has met with Washington Cathedral representatives several times. The Neighborhood Plan was identified as the place to discuss the northern five acres.

There was agreement that the Planning Commission would like to see a presentation by Steven Fischer on the southern ten-acre Campus Master Plan.

Staff is preparing a web fact sheet to eliminate confusion that will include a timeline for the two processes.

Ms. Dietz explained that while the CAC is generally supportive of the project, they did feel that they do not have enough information to make a recommendation either way. As information becomes available and the Planning Commission and City Council decide what will occur, the CAC has some recommendations, such as limitations on the size of the development, some uses not to be allowed such as gas stations or dry cleaners, the inclusion of some housing with an affordability component, and the inclusion of some linkages for pedestrians and parks as part of the project.

Staff does not support the request to rezone the property to NC-2 because that particular location is a transition area between the rural RA-5 and the agricultural areas, so commercial does not lend itself to that particular site. The requested Neighborhood Commercial does not meet the size requirements of the adopted policies. Staff also recognizes that the intersection of Redmond/Woodinville Road and NE 124th Street serves as a gateway not only to the city but to the neighborhood, and commercial on this site might have a draw beyond the immediate community neighborhood.

The Planning Commission will review this issue and come up with a recommendation for City Council by November 23.

OTHER REPORTS

On Wednesday, November 16, there will be an informational open house from 5:30-7:00 p.m. regarding the North Redmond Neighborhood Plan.

There will also be a Sound Transit Open House at 7:00 p.m. on November 16 at the Senior Center to gather input on Phase 2 planning.

ADJOURN

Commissioner Petitpas adjourned the meeting at 10:15 p.m.

Minutes Approved On:

Recording Secretary:
